

**State Water Resources Control Board**  
Division of Drinking Water

April 22, 2019

System No. 5500145

Mr. Jaye Phillips, General Manager  
San Jose Family Camp  
1300 Senter Road  
San Jose, CA 95112

**CITATION NO. 03-11-19C-015  
NITRATE MONITORING VIOLATION  
FOR 2018**

Enclosed is Citation No. 03-11-19C-015 (hereinafter "Citation"), issued to the San Jose Family Camp (hereinafter "System"), public water system. Please note there are legally enforceable deadlines associated with this Citation.

The System will be billed at the State Water Resources Control Board's (hereinafter "State Water Board") hourly rate for the time spent on issuing this Citation. California Health and Safety Code (hereinafter "CHSC") Section 116577 provides that a public water system must reimburse the State Water Board for actual costs incurred by the State Water Board for specified enforcement actions, including preparing, issuing and monitoring compliance with a citation. At this time, the State Water Board has spent approximately 2.0 hours on enforcement activities associated with this violation.

The System will receive a bill sent from the State Water Board in August of the next fiscal year. This bill will contain fees for any enforcement time spent on the System for the current fiscal year.

Any person who is aggrieved by a citation, order or decision issued under authority delegated to an officer or employee of the State Water Board under Article 8 (commencing with CHSC, Section 116625) or Article 9 (commencing with CHSC, Section 116650), of the Safe Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4), may file a petition with the State Water Board for reconsideration of the citation, order or decision.

Petitions must be received by the State Water Board within 30 days of the issuance of the citation, order or decision by the officer or employee of the State Water Board. The date of issuance is the date when the Division of Drinking Water mails a copy of the citation, order or decision. If the 30th day falls on a Saturday, Sunday, or state holiday, the petition is due the following business day by 5:00 p.m.

Information regarding filing petitions may be found at:

[http://www.waterboards.ca.gov/drinking\\_water/programs/petitions/index.shtml](http://www.waterboards.ca.gov/drinking_water/programs/petitions/index.shtml)

If you have any questions regarding this matter, please contact Lourdes Mertens of my staff at 559-447-3139 or me at 559-447-3316.

Sincerely,



Kassy D. Chauhan, P.E.  
Senior Sanitary Engineer, Merced District  
SOUTHERN CALIFORNIA BRANCH  
DRINKING WATER FIELD OPERATIONS

Enclosures

Certified Mail No. 7018 0040 0000 3159 9456

cc: Tuolumne County Environmental Health Department

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF DRINKING WATER

**Name of Public Water System:** San Jose Family Camp

**Water System No:** 5500145

**Attention:** Mr. Jaye Phillips, General Manager

1300 Senter Road

San Jose, CA 95112

**Issued:** April 22, 2019

**CITATION FOR NONCOMPLIANCE**

**CALIFORNIA HEALTH AND SAFETY CODE, SECTION 116555 AND  
CALIFORNIA CODE OF REGULATIONS, TITLE 22, SECTION 64432.1(a)**

**NITRATE MONITORING VIOLATION**

**2018**

The California Health and Safety Code (hereinafter "CHSC"), Section 116650 authorizes the State Water Resources Control Board (hereinafter "State Water Board"), to issue a citation to a public water system when the State Water Board determines that the public water system has violated or is violating the California Safe Drinking Water Act (hereinafter "California SDWA"), (CHSC, Division 104, Part 12, Chapter 4, commencing with Section 116270), or any regulation, standard, permit, or order issued or adopted thereunder.



The State Water Board, acting by and through its Division of Drinking Water (hereinafter "Division"), and the Deputy Director for the Division, hereby issues Citation No. 03-11-19C-015 (hereinafter "Citation"), pursuant to Section 116650 of the CHSC to the San Jose Family Camp (hereinafter "System"), for violation of CHSC, Section 116555(a)(1) and California Code of Regulations (hereinafter "CCR"), Title 22, Section 64432.1(a).

### STATEMENT OF FACTS

The System is classified as a transient non-community water system with a population of 200, serving 14 service connections. The System operates under Domestic Water Supply Permit No. 03-11-18P-005 issued by the State Water Board on February 9, 2018. The System is using a groundwater source to supply potable water to the distribution system.

CHSC, Section 116555 requires all public water systems to comply with primary drinking water standards as defined in CHSC, Section 116275(c). Primary drinking water standards include maximum levels of contaminants, specific treatment standards, and monitoring and reporting requirements as specified in regulations adopted by the State Water Board.

Pursuant to CCR, Title 22, Section 64432.1(a), the System is required to collect one sample annually for nitrate testing from each source. During the 2018, the System failed to collect a nitrate sample from Well 1, Primary Station Code: 001.

### DETERMINATION

The State Water Board has determined that the System has failed to comply with primary drinking water standards pursuant to CHSC, Section 116555 and nitrate monitoring requirements pursuant to CCR, Title 22, Section 64432.1(a) during **2018**.

## DIRECTIVES

The System is hereby directed to take the following actions:

1. By **May 30, 2019**, notify all persons served by the System of the violation of CCR, Title 22, 64432.1(a), in conformance with Sections 64463.4 and 64465. Appendix 1: Notification Template, must be used to fulfill this Directive unless otherwise approved by the State Water Board. The notification must be completed in accordance with the following:
  - Posting of the Public Notification in conspicuous places within the area served by the water system. The notice must remain posted for a minimum of seven (7) consecutive days and;
  - By one of the following secondary methods to reach persons not likely to be reached by posting;
    - By publication in a local newspaper or newsletter distributed to customers, by internet posting of the notice or by direct delivery to each customer served by the System. If the water system opts to issue the notice via internet website, the public notice must remain posted for a minimum of seven (7) consecutive days.
2. Complete Appendix 2: Compliance Certification Form. Submit it together with a copy of the public notification required by Directive 1 to the State Water Board by **May 30, 2019**.
3. The System shall ensure that monitoring is conducted annually for nitrate from all its active sources and that the laboratory, which conducts the analysis, submits the analytical results electronically by a State Water Board approved method no later than the 10<sup>th</sup> day of the month following completion of the analyses.

1  
2 4. The System shall collect and report the 2019 annual nitrate sample result from Well  
3 1 by **May 30, 2019**.

4  
5 5. By **May 30, 2019**, complete and return to the State Water Board the "Notification of  
6 Receipt" form attached to this Citation as Appendix 3. Completion of this form  
7 confirms that the System has received this Citation and understands that it  
8 contains legally enforceable directives(s) with due dates.

9  
10 All submittals required by this Citation, unless otherwise specified in the directives  
11 above, must be electronically submitted to the State Water Board at the following  
12 address. The subject line for all electronic submittals corresponding to this Citation  
13 must include the following information: Water System name and number, citation  
14 number and title of the document being submitted.

15 Kassy D. Chauhan, P.E.

16 Senior Sanitary Engineer, Merced District

17 SOUTHERN CALIFORNIA BRANCH

18 DRINKING WATER FIELD OPERATIONS

19 Dwpdist11@waterboards.ca.gov  
20

21 The State Water Board reserves the right to make modifications to this Citation it may  
22 deem necessary to protect public health and safety. Such modifications may be issued  
23 as amendments to this Citation and shall be effective upon issuance.  
24

25 Nothing in this Citation relieves the System of its obligation to meet the requirements of  
26 the California SDWA (CHSC, Division 104, Part 12, Chapter 4, commencing with  
27 Section 116270), or any regulation, standard, permit or order issued or adopted  
28 thereunder.



**PARTIES BOUND**

This Citation shall apply to and be binding upon the System, its owners, shareholders, officers, directors, agents, employees, contractors, successors, and assignees.

**SEVERABILITY**

The directives of this Citation are severable, and the System shall comply with each and every provision thereof notwithstanding the effectiveness of any provision.

**FURTHER ENFORCEMENT ACTION**

The California SDWA authorizes the State Water Board to: issue a citation or order with assessment of administrative penalties to a public water system for violation or continued violation of the requirements of the California SDWA or any regulation, permit, standard, citation, or order issued or adopted thereunder including, but not limited to, failure to correct a violation identified in a citation or compliance order. The California SDWA also authorizes the State Water Board to take action to suspend or revoke a permit that has been issued to a public water system if the public water system has violated applicable law or regulations or has failed to comply with an order of the State Water Board, and to petition the superior court to take various enforcement measures against a public water system that has failed to comply with an order of the State Water Board. The State Water Board does not waive any further enforcement action by issuance of this Citation.

Kassy D. Chauhan  
Kassy D. Chauhan, P.E.  
Senior Sanitary Engineer, Merced District  
SOUTHERN CALIFORNIA BRANCH  
DRINKING WATER FIELD OPERATIONS

4-22-19  
Date



1  
2  
3  
4  
5  
6  
7  
8  
9

Appendices [2]:

1. Public Notification
2. Compliance Certification Form
3. Notification of Receipt Form

Certified Mail No. 7018 0040 0000 3159 9456



## Instructions for Tier 3 Monitoring Violations Annual Notice Template

### Template Attached

Since most monitoring violations are included in Tier 3, you must provide public notice to persons served within one year after you learn of the violation [California Code of Regulations, Title 22, Chapter 15, Section 64463.7(b)]. Multiple monitoring violations can be serious. **Each water system required to give public notice must submit the notice to the State Water Resources Control Board, Division of Drinking Water (DDW) for approval prior to distribution or posting, unless otherwise directed by the DDW [64463(b)].**

### Notification Methods

You must use the methods summarized in the table below to deliver the notice to consumers. If you mail, post, or hand deliver, print your notice on letterhead, if available.

<i>If You Are a...</i>	<i>You Must Notify Consumers by...</i>	<i>...and By One or More of the Following Methods to Reach Persons Not Likely to be Reached by the Previous Method...</i>
Community Water System [64463.7(c)(1)]	Mail or direct delivery <sup>(a)</sup>	Publication in a local newspaper
		Posting <sup>(b)</sup> in conspicuous public places served by the water system or on the Internet
		Delivery to community organizations
Non-Community Water System [64463.7(c)(2)]	Posting in conspicuous locations throughout the area served by the water system <sup>(b)</sup>	Publication in a local newspaper or newsletter distributed to customers
		Email message to employees or students
		Posting <sup>(b)</sup> on the Internet or intranet
		Direct delivery to each customer

(a) Notice must be distributed to each customer receiving a bill including those that provide their drinking water to others (e.g., schools or school systems, apartment building owners, or large private employers), and other service connections to which water is delivered by the water system.

(b) Notice must be posted in place for as long as the violation or occurrence continues, but in no case less than seven days.

The notice attached is appropriate for the methods described above, insertion in an annual notice, or included in the Consumer Confidence Report<sup>1</sup>. However, you may wish to modify it before using it for posting. If you do, you must still include all the required elements and leave the standard language for monitoring and testing

<sup>1</sup> CCR may be used as long as public notification timing, content, and delivery requirements are met [64463.7(d)].

procedure violations and notification language in italics unchanged. This language is mandatory [64465].

You may need to modify the template for a notice for individual monitoring violations. The template presents violations in a table; however, you may write out an explanation for each violation if you wish. For any monitoring violation for volatile organic compounds (VOCs) or other groups, you may list the group name in the table, but you must provide the name of every chemical in the group on the notice (e.g., in a footnote). An example is shown in the table below.

<i>Contaminant</i>	<i>Required Sampling Frequency</i>	<i>Number of Samples Taken</i>	<i>When All Samples Should Have Been Taken</i>	<i>When Samples Were or Will Be Taken</i>
VOCs <sup>(a)</sup>	1 sample every 3 years	None	2002 – 2005	February 2006

(a) Benzene; Carbon Tetrachloride; 1,2-Dichlorobenzene; 1,4-Dichlorobenzene; 1,1-Dichloroethane; 1,2-Dichloroethane; 1,1-Dichloroethylene; cis-1,2-Dichloroethylene; trans-1,2-Dichloroethylene; Dichloromethane; 1,2-Dichloropropane; 1,3-Dichloropropene; Ethylbenzene; Methyl-*tert*-butyl ether; Monochlorobenzene; Styrene; 1,1,2,2-Tetrachloroethane; Tetrachloroethylene; Toluene; 1,2,4-Trichlorobenzene; 1,1,1-Trichloroethane; 1,1,2-Trichloroethane; Trichloroethylene; Trichlorofluoromethane; 1,1,2-Trichloro-1,2,2-Trifluoroethane; Vinyl Chloride; and Xylenes.

You may need to modify the notice if you had any monitoring violations for which monitoring later showed a maximum contaminant level or other violation. In such cases, you should refer to the public notice you issued at that time.

### **Multilingual Requirement**

The notice must (1) be provided in English, Spanish, and the language spoken by any non-English-speaking group exceeding 10 percent of the persons served by the water system and (2) include a telephone number or address where such individuals may contact the water system for assistance.

If any non-English-speaking group exceeds 1,000 persons served by the water system, but does not exceed 10 percent served, the notice must (1) include information in the appropriate language(s) regarding the importance of the notice and (2) contain the telephone number or address where such individuals may contact the water system to obtain a translated copy of the notice from the water system or assistance in the appropriate language.

### **Population Served**

Make sure it is clear who is served by your water system -- you may need to list the areas you serve.

## Corrective Actions

In your notice, describe corrective actions you took or are taking. Listed below are some steps commonly taken by water systems with monitoring violations. Choose the appropriate language, or develop your own:

- “We have since taken the required samples, as described in the last column of the table above. The samples showed we are meeting drinking water standards.”
- “We have since taken the required samples, as described in the last column of the table above. The sample for [contaminant] exceeded the limit. [Describe corrective action; use information from public notice prepared for violating the limit.]”
- “We plan to take the required samples soon, as described in the last column of the table above.”

## After Issuing the Notice

Send a copy of each type of notice and a certification that you have met all the public notice requirements to the DDW within ten days after you issue the notice [64469(d)]. You should also issue a follow-up notice in addition to meeting any repeat notice requirements the DDW sets.

It is recommended that you notify health professionals in the area of the violation. People may call their doctors with questions about how the violation may affect their health, and the doctors should have the information they need to respond appropriately.

It is a good idea to issue a “problem corrected” notice when the violation is resolved.



## IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este informe contiene información muy importante sobre su agua potable.  
Tradúzcalo o hable con alguien que lo entienda bien.

### Monitoring Requirements Not Met for San Jose Family Camp

Our water system failed to monitor as required for drinking water standards during the past year and, therefore, was in violation of the regulations. Even though this failure was not an emergency, as our customers, you have a right to know what you should do, what happened, and what we did to correct this situation.

*We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not our drinking water meets health standards. During 2018, we did not monitor for nitrate and therefore, cannot be sure of the quality of our drinking water during that time.*

#### What should I do?

- There is nothing you need to do at this time.
- The table below lists the contaminant(s) we did not properly test for during the last year, how many samples we are required to take and how often, how many samples we took, when samples should have been taken, and the date on which follow-up samples were (or will be) taken.

Contaminant	Required Sampling Frequency	Number of Samples Taken	When All Samples Should Have Been Taken	When Samples Were or Will Be Taken
Nitrate	Once a year	None	2018	May 30, 2019

- If you have health issues concerning the consumption of this water, you may wish to consult your doctor.

#### What happened? What is being done?

We plan to take the required samples soon, as described in the last column of the table above.

For more information, please contact Jaye Phillips, General Manager at 408-390-7578.

*Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this public notice in a public place or distributing copies by hand or mail.*

### **Secondary Notification Requirements**

Upon receipt of notification from a person operating a public water system, the following notification must be given within 10 days [Health and Safety Code Section 116450(g)]:

- SCHOOLS: Must notify school employees, students, and parents (if the students are minors).
- RESIDENTIAL RENTAL PROPERTY OWNERS OR MANAGERS (including nursing homes and care facilities): Must notify tenants.
- BUSINESS PROPERTY OWNERS, MANAGERS, OR OPERATORS: Must notify employees of businesses located on the property.

This notice is being sent to you by **San Jose Family Camp**.

State Water System ID#: 5500145. Date distributed: \_\_\_\_\_.

## APPENDIX 1. COMPLIANCE CERTIFICATION

**Citation Number:** 03-11-19C-015

**Name of Water System:** San Jose Family Camp

**System Number:** 5500145

### Certification

I certify that the users of the water supplied by this water system were notified of the nitrate monitoring violation of California Code of Regulations, Title 22, Section 64432.1(a) for the compliance period of 2018 and the required actions listed below were completed.

Required Action	Date Completed
(Citation Directive 1) Public Notification Method(s) Used: <b>Posting and direct delivery</b>	
(Citation Directive 3) Nitrate Sample Collection Date: _____	

\_\_\_\_\_  
Signature of Water System Representative

\_\_\_\_\_  
Date

**Attach a copy of the public notice distributed to the water system's customers.**

**THIS FORM MUST BE COMPLETED AND RETURNED TO THE STATE WATER BOARD,  
DIVISION OF DRINKING WATER, NO LATER THAN MAY 30, 2019**

**Disclosure:** Be advised that the California Health and Safety Code, Sections 116725 and 116730 state that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the Safe Drinking Water Act may be liable for, respectively, a civil penalty not to exceed five thousand dollars (\$5,000) for each separate violation or, for continuing violations, for each day that violation continues, or be punished by a fine of not more than \$25,000 for each day of violation, or by imprisonment in the county jail not to exceed one year, or by both the fine and imprisonment.



### Appendix 3 – Notification of Receipt

**Citation Number:** 03-11-19C-015

**Name of Water System:** San Jose Family Camp

**System Number:** 5500145

#### Certification

I certify that I am an authorized representative of the San Jose Family Camp and that Citation No. 03-11-19C-015 was received on \_\_\_\_\_. Further I certify that the Citation has been reviewed by the appropriate management staff of the San Jose Family Camp and it is clearly understood that Citation No. 03-11-19C-015 contains legally enforceable directives with specific due dates.

\_\_\_\_\_  
Signature of Water System Representative

\_\_\_\_\_  
Date

**THIS FORM MUST BE COMPLETED AND RETURNED TO THE STATE WATER BOARD,  
DIVISION OF DRINKING WATER, NO LATER THAN MAY 30, 2019**

**Disclosure:** Be advised that the California Health and Safety Code, Sections 116725 and 116730 state that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the Safe Drinking Water Act may be liable for, respectively, a civil penalty not to exceed five thousand dollars (\$5,000) for each separate violation or, for continuing violations, for each day that violation continues, or be punished by a fine of not more than \$25,000 for each day of violation, or by imprisonment in the county jail not to exceed one year, or by both the fine and imprisonment.